

JUNE 11, 2019

**BOROUGH OF CLIFFSIDE PARK
BERGEN COUNTY, NEW JERSEY**

**MINUTES OF THE REGULAR MEETING
JUNE 11, 2019**

CALL TO ORDER AT 7:00 P.M.

FLAG SALUTE LED BY MAYOR THOMAS CALABRESE

PRESENT AT ROLL CALL:

Mayor	Thomas Calabrese
Councilwoman	Donna Spoto
Councilman	Larry Bongard
Councilwoman	Dana Martinotti
Councilman	Kenneth Corcoran
Councilman	Peter Colao
Councilwoman	Selvie Nikaj

SERCAN ZOKLU STATED:

**THIS IS A REGULAR MEETING OF THE MAYOR AND COUNCIL, AND NOTICE
WAS GIVEN AS FOLLOWS:**

1. NOTICE PUBLISHED JANUARY 10, 2019 WITH THE RECORD AND JANUARY 11, 2019 WITH THE JERSEY JOURNAL BOTH OFFICIAL NEWSPAPERS OF THE BOROUGH.
2. POSTING OF NOTICE ON THE BULLETIN BOARD.
3. PRESERVING A COPY IN THE CLERK'S OFFICE.

PRESENTATIONS: CAROLINE CALO, 6TH GRADE STUDENT OF SCHOOL #3 WAS PRESENTED WITH THE 2019 COPE TROPHY FOR HER WINNING ESSAY

FREEHOLDER CHAIRWOMAN GERMAINE ORTIZ PRESENTED A CHECK IN THE AMOUNT OF \$75,000 TO THE MAYOR AND COUNCIL AND RESIDENTS OF THE BOROUGH OF CLIFFSIDE PARK FOR COLUMBUS PARK IMPROVEMENTS

MINUTES:

On a motion by Councilman Bongard, seconded by Councilman Colao, the minutes of the Caucus Meeting of May 7, 2019 were accepted.

ROLL CALL:

AYES: Bongard, Martinotti, Corcoran, Colao, Nikaj. ABSTAIN: Spoto.

On a motion by Councilman Bongard, seconded by Councilman Colao, the minutes of the Regular Meeting of May 7, 2019 were accepted.

ROLL CALL:

AYES: Bongard, Martinotti, Corcoran, Colao, Nikaj. ABSTAIN: Spoto.

OFF CONSENT AGENDA:

On a motion by Councilman Colao, seconded by Councilman Bongard, Resolution 2019-125, was offered for adoption.

ROLL CALL:

AYES: Spoto, Bongard, Martinotti, Corcoran, Colao, Nikaj.

June 11, 2019

BOROUGH OF CLIFFSIDE PARK
BERGEN COUNTY, NEW JERSEY
RESOLUTION NUMBER 2019-125

Resolution Re: Resolution to Amend 2019 Budget

WHEREAS, the local municipal budget for the year 2019 was approved on the 9th day of April, 2019, and

WHEREAS, the public hearings on said budget have been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Cliffside Park, County of Bergen, that the following amendments to the approved budget of 2019 be made:

CURRENT FUND

General Revenues

	<u>From</u>	<u>To</u>
3. Miscellaneous Revenues- Section F: Special Items of General Revenue Anticipated with prior written consent of Director of Local Government Services- Public and Private Revenues Offset with Appropriations:		
Reserve for Alcohol Education and Rehabilitation		\$ 3,881
Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services- Public and Private Revenues	\$ 107,138	111,019
Total Miscellaneous Revenues	4,707,552	4,711,433
7. Total General Revenues	\$37,975,037	\$ 37,978,918
8. General Appropriations		
Operations- Excluded from "CAPS"		
Public and Private Programs Offset by Revenues		
Alcohol Education and Rehab		3,881
Total Public and Private Programs Offset by Revenues	176,138	180,019
Total Operations Excluded from "CAPS"	4,607,611	4,611,492
Detail:		
Other Expenses	4,117,611	4,121,492
Total General Appropriations for Municipal Purposes Excluded from "CAPS"	\$ 8,039,191	\$ 8,043,072
Total General Appropriations Excluded from "CAPS"	8,039,191	8,043,072
Subtotal General Appropriations	33,605,735	33,609,616
9. Total General Appropriations	\$37,975,037	\$ 37,978,918

PARKING UTILITY

10. Revenues		
Parking Meter Fees	\$ 119,000	\$ 125,000
Total Revenues	\$ 119,000	\$ 125,000
11. Appropriations		
Statutory Expenditures		
Social Security System (O.A.S.I)	\$ -	\$ 6,000
Total Appropriations	\$ 119,000	\$ 125,000

June 11, 2019

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the 2019 local municipal budget so amended.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the Mayor and Council on the 11th day of June, 2019.

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On a motion by Councilman Colao, seconded by Councilwoman Spoto, Resolution 2019-126, was offered for adoption.

ROLL CALL:

AYES: Spoto, Bongard, Martinotti, Corcoran, Colao, Nikaj.

SECTION 2 - UPON ADOPTION FOR YEAR 2019
(Only to be Included in the Budget as Finally Adopted)

RESOLUTION NUMBER 2019-126

Be It Resolved by the Governing Body of the Borough of Cliffside Park, County of Bergen that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$26,544,012 (Item 2 below) for municipal purposes, and
- (b) \$ (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and, (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II
- (c) \$ (School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) \$ 1,103,473 (Item 5 below) Minimum Library Levy

RECORDED VOTE (Insert last name)	Ayes	Nays	Abstained	Absent
(Spoto)			((
(Benard)			((
(Martino)			((
(Cofrancesco)			((
(Cplac)			((
(Nikas)			((


SUMMARY OF REVENUES

1. General Revenues			
Surplus Anticipated		08-100	\$ 4,425,000
Miscellaneous Revenues Anticipated		13-099	\$ 4,707,552
Receipts from Delinquent Taxes		15-499	\$ 1,195,000
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)			
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:			
Item 6, Sheet 42	07-195	\$	
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	\$	
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only			
4. To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:			
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191		
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY (Item 6c, Sheet 11)			
	07-192	\$	1,103,473
Total Revenues			
	13-299	\$	37,975,037

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS		xxxxxxx	xxxxxxx
Within "CAPS"		xxxxxxx	xxxxxxx
(a&b) Operations Including Contingent		34-201	\$ 22,917,800
(e) Deferred Charges and Statutory Expenditures - Municipal		34-209	\$ 2,648,744
(g) Cash Deficit		46-885	\$
Excluded from "CAPS"		xxxxxxx	xxxxxxx
(a) Operations - Total Operations Excluded from "CAPS"		34-305	\$ 4,607,611
(c) Capital Improvements		44-999	\$ 1,000,350
(d) Municipal Debt Service		45-999	\$ 2,431,230
(e) Deferred Charges - Municipal		46-999	\$ -
(f) Judgements		37-480	
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)		29-405	\$
(g) Cash Deficit		46-885	\$
(k) For Local District School Purposes		29-410	\$
(m) Reserve for Uncollected Taxes (Include Other Reserves if Any)		50-899	\$ 4,369,302
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)		07-195	
Total Appropriations		34-499	\$ 37,975,037

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 7th day of May, 2019.
It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as
appeared in the 2019 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 7th day of May, 2019, , Clerk

On a motion by Councilwoman Martinotti, seconded by Councilwoman Spoto, Resolution 2019-127 was offered for adoption.

ROLL CALL:

AYES: Spoto, Bongard, Martinotti, Corcoran. ABSTAIN: Colao, Nikaj.

RESOLUTION 2019-127

WHEREAS, the Borough of Cliffside Park has been approached to purchase the Temple Israel Property adjacent to the Municipal Complex; and

WHEREAS, the Real Estate Agent affiliated with the Purchase is Century 21 Calabrese Realty;

NOW, THEREFORE, BE IT RESOLVED that the Council does hereby accept the services of Century 21 Calabrese Realty subject to the Statutory Regulations addressing the duties and obligations of the Realtor, inclusive of remuneration;

BE IT FURTHER RESOLVED that the Borough does hereby accept all work undertaken by Century 21 Calabrese Realty in the procurement of this Property Nunc Pro Tunc to the inception of any actions undertaken on behalf of the Municipality;

BE IT FURTHER RESOLVED that a Certified to be True Copy of this Resolution be served upon Century 21 Calabrese Realty; Borough Administrator, Joseph Rutch; Borough Clerk, Sercan Zoklu; and Borough Attorney, Christos J. Diktas, Esq.

CONSENT AGENDA:

On a motion by Councilman Bongard, seconded by Councilwoman Spoto, the claims were ordered paid.

ROLL CALL:

AYES: Spoto, Bongard, Martinotti, Corcoran, Colao. ABTAIN: Nikaj.

RESOLUTIONS:

On a motion by Councilman Bongard, seconded by Councilwoman Spoto, Resolutions 2019-128 through 2019-156 were offered for adoption.

ROLL CALL:

AYES: Spoto, Bongard, Martinotti, Corcoran, Colao, Nikaj.

RESOLUTION 2019-128

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK THAT THE CHIEF FINANCIAL OFFICER BE AND HE IS HEREBY AUTHORIZED TO CLEAR OLD OUTSTANDING CHECKS 2016-2018 FROM THE TRUST ACCOUNT (\$3,010.28) WHICH DETAIL IS ON FILE IN THE OFFICE OF THE CHIEF FINANCIAL OFFICER.

RESOLUTION 2019-129

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK THAT THE CHIEF FINANCIAL OFFICER BE AND HE IS HEREBY AUTHORIZED TO CANCEL

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OLD DEVELOPERS DEPOSITS (\$67,721.28) AND STREET OPENING DEPOSITS (\$36,000.00) WHICH DETAIL IS ON FILE IN THE OFFICE OF THE CHIEF FINANCIAL OFFICER.

RESOLUTION 2019-130

WHEREAS, the Borough of Cliffside Park has entered into a three-year cooperative agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40a:8a-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

WHEREAS, said agreement requires that one Municipal Representative be appointed by the governing body of the community to be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year July 1, 2019 through June 30, 2020; and

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Cliffside Park hereby appoints Lawrence Bongard, 390 Gorge Road, Apt. 401 and Anne Frey, 210 Edgewater Road as its representatives to participate on the Community Development Regional Committee, and Joseph Rutch and Sercan Zoklu as alternate representatives for Fiscal Year 2019-2020.

RESOLUTION 2019-131

WHEREAS, the Borough Clerk of the Borough of Cliffside Park (Borough) had previously awarded the Grantwood Park Basketball Court Restoration project to American Asphalt & Milling Services LLC.; and

WHEREAS, the project required supplemental items; and

WHEREAS, the cost for these improvements resulted in a change order for an amount of \$2,500.00, and the Chief Financial Officer of the Borough of Cliffside Park confirmed the availability of funds for the project;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Cliffside Park authorized Change Order #3 to American Asphalt & Milling Services in the amount not to exceed \$2,500.00; and

BE IT FURTHER RESOLVED that the Borough Attorney and Borough Engineer has prepared all necessary documents to effectuate this resolution; and

BE IT FURTHER RESOLVED that one (1) copy of this resolution as certified by the Borough Clerk shall be forwarded to Remington & Vernick Engineers, the Chief Financial Officer, American Asphalt & Milling Services LLC. and the Borough Attorney.

RESOLUTION 2019-132

WHEREAS, the Borough Clerk of the Borough of Cliffside Park was previously authorized to advertise for Bids for the Summer Food Service Program; and

WHEREAS, pursuant to said Notice, the receipt and opening of Bids took place on May 17, 2019, at 2:00 p.m. at which time the following bids were received:

Company	Base Bid
North Jersey Friendship House Inc.	\$22,792.00
Nu-Way Concessionaires, Inc.	\$27,566.00

WHEREAS, the Chief Financial Officer of the Borough of Cliffside Park has confirmed the availability of funds for the project, specifically that the project will be funded through General Budget; and

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WHEREAS, the Borough Attorney has recommended acceptance of the Bids submitted by North Jersey Friendship House Inc. as being the apparent low and most responsive bidder received;

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Cliffside Park award the Base Bid to North Jersey Friendship House Inc. in the amount of \$22,792.00; and

BE IT FURTHER RESOLVED that the Borough requires the submission of the following Original Documents: Certificate of Insurance and Affirmative Action Affidavit before a Contract is issued; and

BE IT FURTHER RESOLVED that the Borough Attorney is hereby authorized to prepare all necessary documents to effectuate this Resolution; and

BE IT FURTHER RESOLVED that Mayor Calabrese or, in his absence, Deputy Borough Administrator, Sercan Zoklu, is authorized to execute, on behalf of the Borough, the Food Service Program Contract; and

BE IT FURTHER RESOLVED that a Certified to be True Copy of this Resolution shall be forwarded to North Jersey Friendship House Inc., Nu-Way Concessionaires, Inc., Frank Berardo, CFO, and Sercan Zoklu, Deputy Borough Administrator.

RESOLUTION 2019-133

WHEREAS, the Borough of Cliffside Park's Borough Hall Complex Facilities has outgrown its current footprint; and

WHEREAS, it has come to the Borough's attention that the adjacent Property currently owned by Temple Israel is available for purchase; and

WHEREAS, the availability of the Property has created a unique opportunity for the Borough to purchase the adjacent Property without the excessive cost of Condemnation; and

WHEREAS, the Borough Administrator, Attorney and Auditors have commenced preliminary reviews and discussions with the Principals of Temple Israel for the purchase of the Property;

NOW, THEREFORE, BE IT RESOLVED that the Council does hereby appoint Borough Administrator, Joseph Rutch, Borough Attorney, Christos J. Diktas, Esq., and Borough Auditor, Dieter Lerch, in their professional capacities, to negotiate the purchase of the Temple Israel Property; and

BE IT FURTHER RESOLVED that the Borough Administrator is granted the Authority to direct the appointment of the Borough Engineer, Boswell Engineering, to conduct Due Diligence studies of the Property in question, and that the Borough Attorney is hereby authorized to negotiate, subject to the final review of the Administrator and execution of same after consultation with the Council, a Contract for the Purchase of the Property.

BE IT FURTHER RESOLVED that the Borough Administrator shall be authorized to obtain expert services of Architects, Planners, and Auditors as may be needed so that the Borough may conduct the Due Diligence necessary to purchase the Property;

BE IT FURTHER RESOLVED that the Council condones, accepts and directs the Borough Administrator, Borough Attorney, Borough Auditor and Borough Engineers to commence work on this Project prior to this Resolution and all Authority is granted Nunc Pro Tunc to the commencement of the negotiation process;

BE IT FURTHER RESOLVED that a Certified to be True Copy of this Resolution be served upon Borough Administrator, Joseph Rutch, Borough Attorney, Christos J. Diktas, Esq., Borough Engineer, Boswell Engineering and Borough Auditor, Dieter Lerch, RMA.

RESOLUTION 2019-134

WHEREAS, the Mayor and Council has determined that the Municipal Tax Collector will be unable to complete the mailing and/or delivery of tax bills by June 14, 2019 as otherwise required by law, since the Borough has not yet adopted a budget; and

WHEREAS, *N.J.S.A. 54:4-66.2* provides that in the above circumstance the governing body may authorize and direct the Tax Collector to prepare an estimated tax bill as provided by statute; and

WHEREAS, it is in the best interests of the Borough of Cliffside Park that said authorization be granted;

WHEREAS, the Chief Financial Officer and the Tax Collector have computed an estimated tax levy in accordance with *N.J.S.A. 54:4-66.3* and has attached a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park as follows:

1. The Tax Collector be and hereby is authorized and directed to prepare and issue estimated tax bills for the Borough for the third installment of 2019 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by New Jersey statutes, specifically *N.J.S.A. 54:4-66.2* and *54:4-66.3*.
2. The entire estimated tax levy for 2019 is hereby set at \$71,232,462 and the tax rate is set at \$2.45.
3. In accordance with the law, the third installment of 2019 taxes shall not be subject to interest until the later of August 10 or the 25th calendar day after the date the estimated tax bills are mailed.

RESOLUTION 2019-135

RESOLVED, by the Mayor and Council of the Borough of Cliffside Park, that Engineer's Estimate No. 4 and associated voucher be approved in accordance with the requirements of *N.J.A.C. 5:30-11.1 et seq.*

GENERAL CONSTRUCTION	2018 Road Program and Lawton Avenue
ENGINEER	Boswell Engineering
CONTRACTOR	Reggio Construction, Inc. 1575 West Street Fort Lee, New Jersey 07024
TOTAL CONTRACT COST (INCLUDING CHANGE ORDER #1)	\$1,112,286.15
PREVIOUSLY PAID	\$368,203.89
ESTIMATE NO. 4 FOR PAYMENT	\$196,415.17

RESOLUTION 2019-136

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WHEREAS, Cliffside Park Police Chief Richard Gaito has reviewed his Special Police manpower Roster and is of the opinion that the Borough requires additional Special Police in order to serve and protect the Municipality; and

WHEREAS, Chief Gaito and Financial Officer Frank Berardo, have reviewed the Police Budget and are of the opinion that there are adequate budgeting funds available to Appoint a Special Police Officer; and

WHEREAS, Chief Gaito does hereby recommend for appointment, Steven Mantilla;

NOW, THEREFORE, BE IT RESOLVED that the Council does hereby appoint Steven Mantilla to the position of Special Police Officer, effective immediately;

BE IT FURTHER RESOLVED that a Certified to be True Copy of this Resolution be served upon Steven Mantilla, Police Chief Richard Gaito, and Chief Financial Officer, Frank Berardo.

RESOLUTION 2019-137

WHEREAS, Cliffside Park Police Chief Richard Gaito has reviewed the Police Department manpower roster in light of a number of retiring officers; and

WHEREAS, Chief Gaito is of the opinion that an additional Police Officer should be appointed to meet the Police Department Staffing Requirements; and

WHEREAS, Chief Gaito does hereby recommend for appointment to the Police Department, subject to satisfying the Bergen County Police Academy Requirements, Psychological Requirements and all other Statutory, County and/or Municipal Requirements necessary for the pre-appointment and appointment of the Police Officer to the Borough of Cliffside Park; and

NOW, THEREFORE, BE IT RESOLVED that the Council does hereby concur with the recommendation and appoints Steven Mantilla as a Police Officer, Academy Level, to commence the Academy in the summer of 2019's entering class; and

BE IT FURTHER RESOLVED that a Certified to be True Copy of this Resolution be served upon Steven Mantilla, Police Chief Richard Gaito, and Chief Financial Officer, Frank Berardo.

RESOLUTION 2019-138

RESOLUTION ADOPTING THE 2019 MASTER PLAN RE-EXAMINATION REPORT AND LAND USE ELEMENT AMENDMENT TO THE BOROUGH OF CLIFFSIDE PARK MASTER PLAN

WHEREAS, N.J.S.A 40:55D-89 requires that the Borough of Cliffside Park (the "Borough") to direct its Planning Board (the "Planning Board") to re-examine Cliffside Park Master Plan and Developmental Regulations at least once every ten (10) years from the previous Re-Examination; and

WHEREAS, the Planning Board previously adopted a Re-Examination Report on May 9, 2005; and

WHEREAS, the Planning Board, through the Borough, retained Remington & Vernick Engineers Planning Division, to prepare an Amendment to the Master Plan Re-Examination Report; and

WHEREAS, Massiel M. Ferrara, PP, AICP of Remington & Vernick, met for a period of approximately one (1) year with Borough Officials, including but not limited to Administrative, Building, Zoning, Sub Code, Counsel, and Planning Board Members, in order to revise and prepare the 2019 Amendment to the Master Plan Re-Examination Report; and

WHEREAS, pursuant to N.J.S.A. 40:55D-13, the Planning Board Noticed the Public Hearing, whereon May 6, 2019, Massiel M. Ferrara, PP, AICP, provided sworn expert testimony concerning the

2019 Amendment to the Master Plan Re-Examination Report, that was subject to Public and Board questioning of the proposed Amendment to the Master Plan Re-Examination Report; and

WHEREAS, Massiel M. Ferrara, PP, AICP, addresses all statutory requirements of the Master Plan Re-Examination Report at the May 6, 2019 Planning Board Public Hearing; and

WHEREAS, the Planning Board has adopted a Resolution dated June 5, 2019 wherein the Planning Board unanimously adopted the 2019 Amendment to the Master Plan Re-Examination Report dated May 6, 2019 and the 2019 Land Use Element to the Master Plan dated May 6, 2019, and transmitted to the Mayor and Council for acceptance; and

WHEREAS a copy of the Planning Board Master Plan Re-Examination's hearing of May 9, 2019, transcript has been submitted to the Council for their Review and Comment.

NOW, THEREFORE, BE IT RESOLVED that the Council does hereby accept, without Comment or Exception the Recommendation of the Planning Board's unanimous decision to adopt the 2019 Amendment to the Master Plan Re-Examination Report and Land Use Element; and

BE IT FURTHER RESOLVED that the Council does hereby authorize the Borough Clerk and Borough Attorney to undertake on behalf of the Borough, the Statutory Requirements to perfect the Master Plan Re-Examination, and accept the adoption of the 2019 Amendment to the 2019 Master Plan Re-Examination Report and Pending Land Use Element; and

BE IT FURTHER RESOLVED that the Council hereby authorizes the Borough Administrator to execute a contract with Remington & Vernick, wherein Massiel M. Ferrara, PP, AICP, or her Designee shall be directed to commence preparation of the comprehensive Zoning Ordinance, which will meet the Master Plan Re-Examination criteria, as adopted by the Planning Board; and

BE IT FURTHER RESOLVED that a copy of this Resolution be served upon all neighboring Municipalities, Hudson County Planning Board, Bergen County Planning Board, and published in accordance within the law.

RESOLUTION 2019-139

WHEREAS, the Cliffside Park Police Department has received a request from **Timothy Teitz** of **333 Palisade Avenue Apt. A2**, Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Timothy Teitz** has been issued Permanent Handicap Plate **4350HD** by the New Jersey Motor Vehicle Commission; and

WHEREAS, the parking request appears to show legitimate cause for consideration by the Mayor and Council, N.J.S.A. 39:4-197.5 states that any Municipality may by Ordinance or Resolution establish restricted parking spaces in front of residences, schools, hospitals, and other buildings for use by persons who have been issued Special Identification by the New Jersey Motor Vehicle Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park that the following location be designated as a restricted parking space:

Name of Street	Side:	Location:
Cliff Street	North	Beginning at a point approximately 44 feet west of the northwest curb line of Palisade Avenue and Cliff Street and continuing to a point 18 feet northerly thereof

RESOLUTION 2019-140

WHEREAS, the Cliffside Park Police Department has received a request from **Gustvo Henao-Grisales** of **368 Morningside Avenue Apt. 3C**, Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Gustavo Henao-Grisales** has been issued New Jersey Registration **P2058621** by the New Jersey Motor Vehicle Commission; and

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WHEREAS, the parking request appears to show legitimate cause for consideration by the Mayor and Council, N.J.S.A. 39:4-197.5 states that any Municipality may by Ordinance or Resolution establish restricted parking spaces in front of residences, schools, hospitals, and other buildings for use by persons who have been issued Special Identification by the New Jersey Motor Vehicle Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park that the following location be designated as a restricted parking space:

Name of Street	Side:	Location:
Morningside Avenue	North	Beginning at a point approximately 33 feet east of the northeast curb line of Anderson Avenue and Morningside Avenue and continuing to a point 18 feet easterly thereof

RESOLUTION 2019-141

WHEREAS, the Cliffside Park Police Department has received a request from **Alexandra Smetankina** of **765 Anderson Avenue Apt. 45**, Cliffside Park, NJ 07010 for a handicapped parking space in front of the residence. **Alexandra Smetankina** has been issued New Jersey Handicap Placard **P1840819** by the New Jersey Motor Vehicle Commission; and

WHEREAS, the parking request appears to show legitimate cause for consideration by the Mayor and Council, N.J.S.A. 39:4-197.5 states that any Municipality may by Ordinance or Resolution establish restricted parking spaces in front of residences, schools, hospitals, and other buildings for use by persons who have been issued Special Identification by the New Jersey Motor Vehicle Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park that the following location be designated as a restricted parking space:

Name of Street	Side:	Location:
Anderson Avenue	West	Beginning at a point approximately 107 feet south of the southwest curb line of Anderson Avenue and Aurora Avenue and continuing to a point 18 feet southerly thereof

RESOLUTION 2019-142

BE IT RESOLVED that upon the recommendation of P.O. Gabe Marciano the following resolution designating a handicapped parking spaces be rescinded:

Adopted on: **5-9-2017**

RESOLUTION 2017-92

33 Palisade Avenue
Cliffside Park, NJ 07010

Adopted on: **10-31-2017**

RESOLUTION 2017-217

355 Lincoln Avenue Apt. 3F
Cliffside Park, NJ 07010

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Cliffside Park, that the Department of Public Works be instructed to remove the handicapped parking sign at the above location.

RESOLUTION 2019-143

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BE IT RESOLVED that upon the recommendation of P.O. Gabe Marciano the following resolution designating a handicapped parking spaces be rescinded:

Adopted on: **11-1-2016**

RESOLUTION 2016-236
548 Dewey Avenue Apt. 3F
Cliffside Park, NJ 07010

Adopted on: **10-3-1995**

RESOLUTION 1995-136
253 Park Avenue
Cliffside Park, NJ 07010

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Cliffside Park, that the Department of Public Works be instructed to remove the handicapped parking sign at the above location.

RESOLUTION 2019-144

A RESOLUTION TO ENTER INTO A STIPULATED PERIOD OF SUSPENSION OF THE PLENARY RETAIL ALCOHOLIC BEVERAGE CONSUMPTION LICENSE NUMBER NO. 0206-33-033-08 ON A PLEA OF NON VULT REGARDING IDAHO FARMERS MARKET, LLC, TRADING AS RUSTICA LOUNGS BAR & RESTAURANT

RESOLUTION 2019-

“OFFICIAL ACTION”

WHEREAS, under the authority of the New Jersey Alcoholic Beverage Control Act, Title 33 of the New Jersey Statutes Annotated, and the regulations promulgated pursuant thereto, the Borough of Cliffside Park Police Department did prefer charges against IDAHO FARMERS MARKET, LLC, Trading As Rustica Lounge Bar & Restaurant (“Respondent”), as the owner of plenary retail license # 0206-33-031-008 for the premises located at 565 Gorge Road, in the Borough of Cliffside Park for violation of the aforementioned statute, ordinance and/or regulations, and as set forth herein, which charges were duly signed on June 1, 2019 and served upon the Respondent; and

WHEREAS, this matter was referred to the Borough’s Hearing Officer and was to be scheduled for final hearing on or before June 18, 2019, to be presented by the Borough Special Counsel, John L. Molinelli, Esq. of the firm Price, Meese, Shulman & D’Arminio, P.C.; and

WHEREAS, the Respondent was represented by William C. Fay IV of Proetta & Oliver, Middletown, New Jersey; and

WHEREAS, it appearing that the basis for the charges related to the Respondent's alleged failure, during the period 2017 through March, 2019, to fully disclose individuals with equitable interests in the license, and it further appearing that as a result of an apparent dispute between one or more members of Respondent the failure to so disclose was not intentional and it further appearing to the Special Counsel through documentation provided to him that none of the

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individuals with equitable interests in the license would have been disqualified from holding such interest in Respondent's license and at all times therein; and

WHEREAS, it further appearing that based upon the circumstances herein and upon the recommendation of the Special Counsel, and upon the receipt of a plea of "non-vult" by Respondent, and upon Respondent's consent, it is reasonable to impose a 30 day period of suspension, effective July 1, 2019, with the suspension to be held in abeyance subject to there being no further violations of any alcoholic beverage control laws which are the same or similar to those alleged in the preferred charges.

NOW THEREFORE IT IS HEREBY RESOLVED THAT the Council does hereby impose, on consent of Respondent, a period of suspension of thirty (30) days with said suspension to be held in abeyance for a thirty (30) day probation period commencing on July 1, 2019 and terminating July 31, 2019; and

BE IT FURTHER RESOLVED, that Respondent reimburse the Borough for its administrative and other costs incurred in connection with this matter, including the handling of prior objections made by third parties to the Respondent's filing of a change in corporate status as well as all investigative costs and that of the hearing officer in the amount of \$2,500.00, payable on or before June 18, 2019; and

BE IT FURTHER RESOLVED that a certified true copy of this Resolution with the charges be placed in the Respondent's permanent file; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be tendered to the Registered Agent of Respondent, its Counsel, Detective Lieutenant Vincent Capano of the Cliffside Park Police Department and all other required entities and/or individuals.

RESOLUTION 2019-145

WHEREAS, an application has been filed for a person-to-person transfer of plenary retail consumption with broad package privilege license number 0206-32-040-006, heretofore, issued to Shukla Brothers Inc. Trading As Liquor City; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

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WHEREAS, the applicant has disclosed and the issuing authority has reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Cliffside Park does hereby approve, effective JUNE 11, 2019, the transfer of the aforesaid plenary retail consumption with broad package privilege license to LULU ENTERPRISES LLC located at 494 Anderson Avenue, and does hereby direct the Borough Clerk to endorse the license certificate to the new ownership as follows: "THIS LICENSE, SUBJECT, TO ALL ITS TERMS AND CONDITIONS, IS HEREBY TRANSFERRED TO LULU ENTERPRISES EFFECTIVE JUNE 11, 2019."

RESOLUTION 2019-146

Renewal of Liquor Licenses

WHEREAS, the Mayor and the Council of the Borough of Cliffside Park having investigated the applications of the following licenses to conduct business for retail distribution of alcoholic beverages; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Cliffside Park having investigated the applications of the following persons for license to conduct business for retail distribution of alcoholic beverages; and

BE IT RESOLVED that the Borough Clerk be and is hereby empowered to issue plenary retail distribution licenses to the following persons for the year commencing on:

July 1, 2017 through June 30, 2018

0206-44-036-005 HA'S INC

July 1, 2018 through June 30, 2019

0206-44-036-005 HA'S INC

BE IT FURTHER RESOLVED that all of said licenses have been issued pursuant to an Act of the Legislature of the State of New Jersey, entitled "An Act Concerning Alcoholic Beverages, Its Supplements and Amendments Thereto" and the Borough of Cliffside Park.

RESOLUTION 2019-147

Renewal of Liquor Licenses

WHEREAS, the Mayor and the Council of the Borough of Cliffside Park having investigated the applications of the following licenses to conduct business for retail consumption of alcoholic beverages; and

BE IT RESOLVED that the Borough Clerk be and is hereby empowered to issue plenary retail consumption licenses to the following persons for the year commencing on:

July 1, 2019 through June 30, 2020

0206-33-001-004	Clubhouse Cafe LLC T/A Clubhouse Cafe	661 Palisade Ave.
0206-33-002-007	Keo Boo Kee Corp	651 Anderson Ave.
0206-33-004-002	Anderson Ave LLC	Town Center On Anderson Ave.
0206-33-008-014	Beyoglu Grill Corp	703 Anderson Ave.
0206-33-010-007	Salau del, LLC T/A 354 Steakhouse	354 Lawton Ave.
0206-33-011-007	Sonsonate Rest. Inc. T/A Sonsonate Rest.	98-100 Palisade Ave.
0206-33-014-004	Espositos on the Palisades Inc. T/A Villa Amalfi Ristorante	793 Palisade Ave.

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0206-33-016-004	Avos Kitchen LLC T/A Avo's Grill	720 Anderson Ave.
0206-33-018-006	Milton Barrera Corporation	
0206-33-023-004	Ace Spirits LLC	512 Anderson Ave.
0206-33-024-006	Choi Group LLC	604 Anderson Ave.
0206-33-025-017	CP NJ LQ LLC	
0206-33-028-002	Gill's Tavern Inc. T/A Gill's Tavern Inc	19 Bender Place
0206-33-029-011	364 Lawton Ave LLC	364 Lawton Ave
0206-33-031-008	RJ CP LLC T/A Loft Public House	690 Anderson Ave.
0206-33-032-005	Palisadium USA Inc. T/A Palisadium Restaurant	700 Palisadium Dr.
0206-33-033-009	Idaho Farmer's Market LLC	565 Gorge Road
0206-33-035-003	Sufroni Associates Inc. T/A Rudy's	591 Anderson Ave.
0206-33-037-007	339 Bar, Inc. T/A De Stefanos Bar	339 Palisade Ave.
0206-33-038-007	S Luna Restaurant and Bar Corporation	454 Palisade Ave.
0206-33-042-005	Sartor & Vitale Inc. T/A R JAY'S Pub	76 Palisade Ave.
0206-33-049-003	G.B.G. Corp T/A Pebble Beach Pub	658 Anderson Ave.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Cliffside Park having investigated the applications of the following persons for license to conduct business for retail distribution of alcoholic beverages; and

BE IT RESOLVED that the Borough Clerk be and is hereby empowered to issue plenary retail distribution licenses to the following persons for the year commencing on:

July 1, 2019 through June 30, 2020

0206-44-006-012	Shreemay, Inc. T/A Garden State Food & Liquor	666 Anderson Ave.
0206-44-009-005	Navranjan Inc. T/A Stop-N-Go Convenience Store	81 Palisade Ave.
0206-44-019-005	NR Investments LLC T/A Campbell's Wines & Liquors	730 Anderson Ave.
0206-44-027-004	Laxmi Stop & Shop, Inc. T/A Minute Mart	442 Anderson Ave.
0206-44-030-007	Oamshish Inc. T/A Minit Mart	237 Palisade Ave.
0206-44-043-005	Winston Wine Cellars Inc. T/A Winston Wine and Liquors	659 Palisade Ave.
0206-44-048-009	Anupam Zaveri LLC T/A Garden State News	461 Palisade Ave.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Mayor and the Council of the Borough of Cliffside Park having investigated the applications of the following licenses to conduct business for retail consumption of alcoholic beverages; and

BE IT RESOLVED that the Borough Clerk be and is hereby empowered to issue plenary retail consumption licenses with broad package privileges to the following persons for the year commencing on:

July 1, 2019 through June 30, 2020

0206-32-007-011	Vansh Group LLC	743 Anderson Ave.
0206-32-040-006	Lulu Enterprises LLC	494 Anderson Ave.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Cliffside Park having investigated the applications of the following for Club License; and

BE IT RESOLVED that the Borough Clerk be and is hereby empowered to issue Club Licenses to the following organizations for the year commencing on:

July 1, 2019 through June 30, 2020

0206-31-050-002	Cliffside Park Elks Lodge #1502 T/A Cliffside Park Elks Lodge #1502	
	526 Anderson Ave.	

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Cliffside Park having investigated the applications of the following for limited retail distribution licenses; and

BE IT RESOLVED that the Borough Clerk be and is hereby empowered to issue limited retail distribution licenses to the following persons for the year commencing on;

July 1, 2018 through June 30, 2019

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0206-43-003-003 Yianni’s Bakery and Deli Inc. T/A Yianni’s Bakery and Deli 145 Palisade Ave.

BE IT FURTHER RESOLVED that all of said licenses have been issued pursuant to an Act of the Legislature of the State of New Jersey, entitled "An Act Concerning Alcoholic Beverages, Its Supplements and Amendments Thereto" and the Borough of Cliffside Park.

RESOLUTION 2019-148

RESOLVED, by the Mayor and Council of the Borough of Cliffside Park, that Change Order #2 be approved in accordance with the requirements of N.J.A.C. 5:30-11.1 et seq.

GENERAL CONSTRUCTION	2018 Road Program and Lawton Avenue
ENGINEER	Boswell Engineering
CONTRACTOR	Reggio Construction, Inc. 1575 West Street Fort Lee, New Jersey 07024
ORIGINAL CONTRACT COST	\$1,055,186.15
COST OF CHANGE ORDER #1	\$57,100.00
COST OF CHANGE ORDER #2	\$149,839.50
NEW CONTRACT SUM	\$1,262,125.65
CHANGE ORDER NUMBER	#2
NATURE OF CHANGES	Increase Project Scope – Commercial Avenue Improvements

RESOLUTION 2019-149

WHEREAS, ExteNet Systems, Inc. (ExteNet), organized and existing under the laws of the State of Delaware, and having Offices located at 3030 Warrenville Road, Suite 340, Lisle, Illinois 60532, has petitioned the Council for permission to place Telecommunications Equipment upon existing Utility Pole Lines located within the Borough’s Public Right-of-Way; and

WHEREAS, ExteNet has been granted a Certificate of Public Conveyance and Necessity by the New Jersey Board of Public Utilities to provide Local Exchange and Interexchange Telecommunications Services throughout the State;

NOW, THEREFORE BE IT RESOLVED that the Council does hereby authorize Mayor Thomas Calabrese or Borough Administrator Joseph Rutch, to execute the Right-of Way Use Agreement between the Borough and ExteNet upon ExteNet amending the Agreement as required in the Borough Attorney Correspondence dated June 10, 2019; and

BE IT FURTHER RESOLVED that a Certified to be True Copy of this Resolution be served upon Linda Rooney, Regional Director, Infrastructure, at ExteNet Systems; Joseph Rutch, Borough Administrator; Chief Richard Gaito, Cliffside Park Police Department.

RESOLUTION 2019-150

WHEREAS, the Council has permitted the Borough Administrator Joseph Rutch to prepare a job description for the Borough of Cliffside Park, specifically Emergency Medical Technician/Patient Account Manager; and

NOW, THEREFORE BE IT RESOLVED that the Council does hereby accept the job descriptions attached hereto which shall be incorporated herein as if set forth in their entirety; and

BE IT FURTHER RESOLVED that a certified to be true copy of this Resolution be tendered to Borough Administrator Joseph Rutch and Chief Financial Officer Frank Berardo.

RESOLUTION 2019-151

WHEREAS, the Council has permitted the Borough Administrator Joseph Rutch to prepare a job description for the Borough of Cliffside Park, specifically Building Maintenance Worker; and

NOW, THEREFORE BE IT RESOLVED that the Council does hereby accept the job descriptions attached hereto which shall be incorporated herein as if set forth in their entirety; and

BE IT FURTHER RESOLVED that a certified to be true copy of this Resolution be tendered to Borough Administrator Joseph Rutch and Chief Financial Officer Frank Berardo.

RESOLUTION 2019-152

Resolution: **Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for Rectangular Rapid Flashing Beacons at Existing Mid-Block Crosswalks - 2020 Project.**

NOW, THEREFORE BE IT RESOLVED that Council of Borough of Cliffside Park formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2020- Rectangular Rapid Flashing Beacons at Existing Mid-Block Crosswalks – 00133 to the New Jersey Department of Transportation on behalf of Borough of Cliffside Park.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Cliffside Park, and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION 2019-153

MAYOR'S APPOINTMENTS

Pursuant to the obligations imposed upon my by law, I make the following nominations and seek the advice and consent of the Council:

	Term Expires
<u>SCHOOL CROSSING GUARDS – 1 Year Term</u>	
Sherry A. Kolich	12/31/19

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RESOLUTION 2019-154

WHEREAS, THE BOROUGH CLERK HAS RECEIVED FROM THE DIRECTOR OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL, A SPECIAL RULING TO PERMIT RENEWAL OF INACTIVE LICENSE PURSUANT TO N.J.S.A. 33: 1-12.39 (AGENCY DOCKET NO. 05-18-85 JOB NO. 225768) FOR THE 2018-2019 AND 2019-2020 LICENSE TERMS TO: JAMES DEMETRAKIS, LICENSE #0206-33-34-009; AND

WHEREAS, JAMES DEMETRAKIS HAS PREVIOUSLY SUBMITTED THE 2019-2020 RENEWAL APPLICATIONS AND ALL THE NECESSARY FEES TO THE BOROUGH CLERK AND SAME HAS BEEN FORWARDED TO THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL; AND

NOW, THEREFORE, BE IT RESOLVED THAT ALL THE REQUIREMENTS HAVE BEEN MET, AND SAID APPLICATION IS IN ORDER FOR APPROVAL BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK.

RESOLUTION 2019-155

WHEREAS, THE BOROUGH CLERK HAS RECEIVED FROM THE DIRECTOR OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL, A SPECIAL RULING TO PERMIT RENEWAL OF INACTIVE LICENSE PURSUANT TO N.J.S.A. 33: 1-12.39 (AGENCY DOCKET NO. 05-18-100 JOB NO. 226955) FOR THE 2018-2019 AND 2019-2020 LICENSE TERMS TO: BERGEN HENRY ASSOCIATES LLC, LICENSE #0206-33-017-009; AND

WHEREAS, BERGEN HENRY ASSOCIATES LLC HAS PREVIOUSLY SUBMITTED THE 2019-2020 RENEWAL APPLICATIONS AND ALL THE NECESSARY FEES TO THE BOROUGH CLERK AND SAME HAS BEEN FORWARDED TO THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL; AND

NOW, THEREFORE, BE IT RESOLVED THAT ALL THE REQUIREMENTS HAVE BEEN MET, AND SAID APPLICATION IS IN ORDER FOR APPROVAL BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK.

RESOLUTION 2019-156

WHEREAS, THE BOROUGH CLERK HAS RECEIVED FROM THE DIRECTOR OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL, A SPECIAL RULING TO PERMIT RENEWAL OF INACTIVE LICENSE PURSUANT TO N.J.S.A. 33: 1-12.39 (AGENCY DOCKET NO. 06-19-191 JOB NO. 306087) FOR THE 2019-2020 LICENSE TERMS TO: HA'S INC, LICENSE #0206-44-036-005; AND

WHEREAS, HA'S INC HAS PREVIOUSLY SUBMITTED THE 2019-2020 RENEWAL APPLICATIONS AND ALL THE NECESSARY FEES TO THE BOROUGH CLERK AND SAME HAS BEEN FORWARDED TO THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL; AND

NOW, THEREFORE, BE IT RESOLVED THAT ALL THE REQUIREMENTS HAVE BEEN MET, AND SAID APPLICATION IS IN ORDER FOR APPROVAL BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK.

ORDINANCES: INTRODUCTION

Councilman Corcoran INTRODUCED AN ORDINANCE ENTITLED:

ORDINANCE 2019-07

Councilman Corcoran moved the ordinance be given its first reading. So ordered.

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The Municipal Clerk read the said ordinance by title. Councilman Corcoran moved the ordinance be adopted on first reading and published in The Bergen Record on June 15, 2019. Motion was seconded by Councilwoman Spoto.

The ordinance will be available to the public for inspection in the Clerk's Office and posted on the bulletin board.

The public hearing is to be held on August 6, 2019 in the Mayor and Council Chambers at 7:00 pm, at which time all persons wishing to be heard on the proposed ordinance will be heard.

The ordinance was approved at the first reading upon the call of the roll.

ROLL CALL:

AYES: Spoto, Bongard, Martinotti, Corcoran, Colao, Nikaj.

ORDINANCE 2019-07

ORDINANCE AMENDING CHAPTER 18: ZONING OF THE REVISED ORDINANCES OF THE BOROUGH OF CLIFFSIDE PARK

WHEREAS, the Carlyle Towers Condominium Association, Inc., located at 100 Winston Drive, Cliffside Park, New Jersey, has petitioned the Mayor and Council to rename a portion of the Roadway servicing the 100 Winston Towers or Carlyle Towers from Winston Towers Drive to Carlyle Towers Drive; and

WHEREAS, The Borough Engineer and Borough Attorney Offices' have reviewed the Street name Change Petition and Engineering Requests and have concluded that the renaming of the Street will not legally affect any issues pertaining to the Borough with the burden of correcting the Residential address issues with the United States Postal Service to be the sole obligation of the Carlyle Tower Condominium Association Inc.; and

WHEREAS, Winston Drive extends from Palisade Avenue, in the vicinity of Wayne Avenue, through to Lafayette Avenue. Winston Drive also extends to the Carlyle Towers encompassing the access drive inclusive of the turnaround circle area; and

WHEREAS, One Thousand Six Hundred and Sixty (1,660) residences have a Winston Drive Property Address, of which 389 Residents are located within the Carlyle Towers at 100 Winston Drive;

NOW, THEREFORE BE IT ORDAINED, that the Council does hereby create a new Provision Chapter 18A-8.0 entitled "Street Names" renaming a portion of Winston Drive to Carlyle Towers Drive; and

BE IT FURTHER ORDAINED, the Dimensions of the new Roadway are as follows:

60 Feet easterly of the southeasterly intersection of Winston Drive right-of-way and Lafayette Avenue right-of-way, continuing in a northeasterly direction through the circle turnaround area then westerly ending approximately 120 feet easterly of the previously described southeasterly intersection of Winston Drive right-of-way and Lafayette Avenue right-of-way;

BE IT FURTHER ORDAINED, that the physical Street Name Change from Winston Drive to Carlyle Towers Drive is geographically shown on the attached diagram with the controlling dimensions being stated in this Ordinance; and

BE IT FURTHER ORDAINED, the cost of all new Street Signage shall be the obligation of the Carlyle Towers Condominium Association Inc.; and

BE IT FURTHER ORDAINED, that this Ordinance Subsection shall be codified as Chapter 18A-8.0, "Street Name Change".

SEVERABILITY. If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid in whole or in part or as applied to any particular circumstance or individual by a court of competent jurisdiction, such order of judgment shall not effect or invalidate the remainder of any article, section, subsection, paragraph, subdivision, or clause of this ordinance.

REPEALER. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies only.

EFFECTIVE DATE. This ordinance shall take effect immediately upon final passage and publication as required by law.

ORDINANCES: SECOND HEARING AND ADOPTION:

Councilman Colao CALLED UP FOR A SECOND READING AN ORDINANCE ENTITLED:

ORDINANCE 2019-05

The clerk presented affidavit of publication, showing advertisement had been made according to law, which was ordered filed. Councilman Colao moved a public hearing be held on the ordinance. The motion was seconded by Councilman Bongard. So ordered.

Councilman Colao moved the clerk read the ordinance by title on second reading. So ordered. The clerk thereupon read the ordinance by title. The clerk then announced that all interested parties would now be given opportunity to be heard for or against the adoption of the ordinance.

The following people spoke on the ordinance: None.

After all interested parties had spoken on the ordinance Councilwoman Nikaj moved the hearing be closed. The motion was seconded by Councilman Bongard.

Councilwoman Nikaj moved the ordinance be adopted on second reading and final passage, which was seconded by Councilman Bongard and adopted upon a call of the roll.

ROLL CALL:

AYES: Spoto, Bongard, Martinotti, Corcoran, Colao, Nikaj.

ORDINANCE 2019-05

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF CLIFFSIDE PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$3,800,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

BE IT ORDAINED by the Borough Council of the Borough of Cliffside Park, in the County of Bergen, State of New Jersey, as follows:

Section 1. The Borough of Cliffside Park, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to make various public improvements in, by and for said Borough, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Acquisition of real property, including existing structures, for the future site of municipal facilities and other public purposes. The property to be acquired consists of the following parcels described by their street address and legal description on the Tax Assessment Map of the Borough: (i) 207 Edgewater Road (Block 1703, Lot 1); and (ii) 213 Edgewater Road (Block 1703, Lot 2).

Appropriation and Estimated Cost	
	\$2,800,000
Down Payment Appropriated	
	\$ 134,000
Bonds and Notes Authorized	
	\$2,666,000
Period of Usefulness	
	40 years

B. Undertaking the Road Resurfacing Program, as set forth on a list prepared or to be prepared by the Borough Engineer on file or to be placed on file with the Borough Clerk, and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council, there may be additions to or deletions from the above-referenced list. It is hereby determined and stated that said roads to be resurfaced are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$ 330,000
Down Payment Appropriated	
	\$ 23,800
Bonds and Notes Authorized	
	\$ 306,200

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Period of Usefulness

10 years

C. Improvements to sanitary and storm sewers at various locations in the Borough.

Appropriation and Estimated Cost	\$ 340,000
Down Payment Appropriated	\$ 16,200
Bonds and Notes Authorized	\$ 323,800
Period of Usefulness	40 years

D. Improvements to various parks and recreation facilities.

Appropriation and Estimated Cost	\$ 330,000
Down Payment Appropriated	\$ 16,000
Bonds and Notes Authorized	\$ 314,000
Period of Usefulness	15 years

Aggregate Appropriation and
Estimated Cost

Aggregate Down Payment Appropriated	\$3,800,000
Aggregate Amount of Bonds and Notes Authorized	\$ 190,000
	\$3,610,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$400,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. It is hereby determined and stated that moneys exceeding \$190,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$190,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$3,610,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter

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determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$3,610,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 35.28 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$3,610,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

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Section 12. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 14. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 15. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Councilman Colao CALLED UP FOR A SECOND READING AN ORDINANCE ENTITLED:

ORDINANCE 2019-06

The clerk presented affidavit of publication, showing advertisement had been made according to law, which was ordered filed. Councilman Colao moved a public hearing be held on the ordinance. The motion was seconded by Councilwoman Martinotti. So ordered.

Councilman Colao moved the clerk read the ordinance by title on second reading. So ordered. The clerk thereupon read the ordinance by title. The clerk then announced that all interested parties would now be given opportunity to be heard for or against the adoption of the ordinance.

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The following people spoke on the ordinance: None.

After all interested parties had spoken on the ordinance Councilman Corcoran moved the hearing be closed. The motion was seconded by Councilwoman Martinotti.

Councilman Corcoran moved the ordinance be adopted on second reading and final passage, which was seconded by Councilwoman Martinotti and adopted upon a call of the roll.

ROLL CALL:

AYES: Spoto, Bongard, Martinotti, Corcoran, Colao, Nikaj.

ORDINANCE 2019-06

ORDINANCE ESTABLISHING A SELF-LIQUIDATING PUBLIC PARKING UTILITY IN AND BY THE BOROUGH OF CLIFFSIDE PARK, IN THE COUNTY OF BERGEN, NEW JERSEY

BE IT ORDAINED BY THE GOVERNING BODY OF THE BOROUGH OF CLIFFSIDE PARK, IN THE COUNTY OF BERGEN, NEW JERSEY AS FOLLOWS:

SECTION I. Parking Utility – Establishment – Purpose

There is created and established upon the effective date of this article a municipally owned utility to be known as the Municipal Parking Utility of the Borough of Cliffside Park (the “Parking Utility”). The authorized operations of the Parking Utility shall consist of the operation, management, control and maintenance of all parking facilities, including but not limited to the parking garage, metered parking, as well as surface lots, including the billing and collection of all parking fees and meter collections.

SECTION II. Administration – Personnel

The Mayor is authorized to appoint an individual or individuals who shall be responsible for the day-to-day administrative operations of the Parking Utility, including proposing the annual budget for the Parking Utility and making recommendations to the Borough Council regarding daily rates and charges, the classifications of users, and general policy oversight of the Parking Utility administration and operations.

SECTION III. Parking Utility Fund

All money derived from the operations of the Parking Utility and other moneys applicable to its support shall be segregated and kept in a separate fund, known as the Parking Utility fund, and treated as moneys held in trust for the purposes for which the Parking Utility was created. Moneys in the Parking Utility fund shall be applied only to costs of the Parking Utility or as otherwise permitted by law and shall be accounted for in accordance with the local budget law and the local bond law.

SECTION IV. Budget

The budget of the Parking Utility and the appropriations and disbursements from the Parking Utility fund shall be in compliance with the local budget law and other applicable law.

SECTION V. Effect on Other Provisions

To the extent that any previous ordinance or resolution is inconsistent with or contradictory hereto said ordinance or resolution is amended or repealed to the extent necessary to make it consistent herewith. In all other respects, this article shall be a supplement to other ordinances and resolutions heretofore adopted relating to sewer system purposes.

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SECTION VI. This ordinance shall take effect following the adoption and approval in a time and manner prescribed by law.

COMMITTEE REPORTS: ALL COMMITTEE REPORTS ON FILE IN THE CLERK'S OFFICE.

PUBLIC PORTION:

On a motion by Councilwoman Spoto, seconded by Councilman Bongard, the meeting was opened to the public. Carried.

The Clerk stated that any member of the public wishing to be heard could now do so, by coming to the podium and stating their name and address for the record.

PUBLIC PARTICIPATION: None.

On a motion by Councilman Bongard, seconded by Councilman Corcoran, the meeting was closed to the public.


ADJOURN:

On a motion by Councilman Bongard, seconded by Councilman Corcoran, the meeting was adjourned at 7:19 p.m.

ATTEST:


SERKAN ZOKLU
BOROUGH CLERK

APPROVED:


THOMAS CALABRESE
MAYOR